

REMARKS

Claims 1-9 are pending in the present application, all claims were rejected in the present Office Action. The priority document requested by the Examiner was filed with the United States Patent and Trademark Office on August 29, 2003.

The Examiner rejected Claims 1-9 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,877,746 (Parks) and U.S. Patent No. 5,479,476 (Finke-Ankauff).

The present invention describes and claims the creation of customized menus based on index references of existing (factory default) menu function index assignments. FIG. 2 of the present application shows an example of function menus and associated function indexes. FIG. 3 of the present application shows the process of building a new function menu using existing function index assignments.

For example where there are three default menus having unique functions; custom menus can be created according to the method of the present invention with functions selected from the default menus being included in the custom menus.

	Menu 1	Menu 2	Menu 3	Custom Menu 1	Custom Menu 2
1	a	f	k	m	f
2	b	g	l	h	i
3	c	h	m	e	o
4	d	i	n	j	
5	e	j	o		

Parks discloses a user interface system for the computer system comprising a grid of possible user functions. The grid is made up of a plurality of rows and a plurality of columns. Each column within a row has a plurality of subrows, wherein each of the plurality of rows corresponds to a major feature of the computer system, each of the columns within each row corresponds to an option for the corresponding major feature, and each subrow within a column corresponds to a suboption. Only the active cell of the user interface system is displayed at any one time, the active cell being defined as the intersection of the selected row and column.

Parks does not describe a method for a portable radio telephone having a menu table in which service menus for a user are stored in association with **corresponding indexes**. In fact

there is no mention of any index anywhere in the Parks specification. Moreover, FIG. 8 referenced by the examiner is not at all comparable to the above referenced FIG. 2 of the present application because it does not include either the "Main Menu Index" or the "Sub-Menu Index".

The Examiner erroneously believes that Parks at column 9, lines 26-29 stating:

In all cases, a SETUP tab 66 is displayed such that it is the right-most tab. Each of the elements (Mail, Phone, Fax and Copy) have a setup option or mode which allows the user to customize various aspects of the selected feature, e.g., pulse or tone dialing for the telephone.

teaches the switching element of Claims 1, 5 and 8. Neither in this section, nor elsewhere in Parks is there a discussion of a method for creating custom menus discussed in the inventive specification in connection with FIGs. 3 and 4. Specifically, Parks does not describe switching an operating mode of the portable radio telephone to a user-customized menu creating mode recited in Claims 1, 5 and 8.

Similarly, Parks does not describe any of the remaining elements recited in Claims 1, 5 and 8. Finke-Ankauff does not correct the deficiencies of Parks since it does not address and does not teach or describe creation of custom menus recited in Claims 1, 5 and 8.

Each of the elements, e.g., Mail, Phone, Fax and Copy, described in column 9, lines 26 to 29 of Parks, has a setup option or mode which allows a user to customize various aspects of the sealed feature through a SETUP tab 66, shown in Fig. 8. Parks, however, fails to disclose a mode selection for storing a predetermined menu index in the form of index in the form of index desired by the user in order to provide services to a portable radio telephone, as is recited in the claims of the present invention.

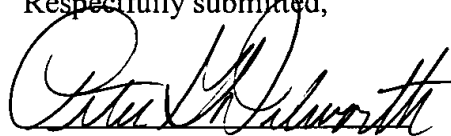
In addition, Parks does not discuss that in order to simplify an index relative to menus frequently used by a user, a user index and a menu index are respectively received and stored in correspondence with each other. Neither Parks, Finke-Ankauff, nor their combination teach or describe recitations claimed in the independent Claims of the present invention.

Based on the arguments presented above, it can be concluded that Parks, Finke-Ankauff or any combination thereof do not teach or describe the above discussed elements of Claims 1, 5 and 8 and therefore they are believed to overcome the rejection under 35 U.S.C. §103(a).

Without conceding the patentability per se of dependent Claims 2-4, 6-7, and 9 these are likewise, by virtue of their dependence on independent Claim 1, believed to overcome the rejection under 35 U.S.C. §103(a), the withdrawal of which is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-9, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter G. Dilworth", written over a horizontal line.

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